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1 The parties hereby submit the following Stipulation and Proposed Order to the 2 Court: 3 The Discovery Cut-Off in this matter is currently set for June 2, 2008. The Plaintiff has propounded discovery, which the Defendants believe is beyond the 4 5 scope permitted by ERISA. However, the parties are scheduled to participate in a private mediation on April 29, 2008. The parties believe they will be able to have 6 7 meaningful settlement discussions, and further believe the matter is more likely to 8 settle if the attorneys' fees which would be incurred by Defendants in objecting to, 9 and potentially responding to the discovery, and participating in depositions, were 10 rather directed towards settlement of the matter. 11 Based thereon, and good cause appearing, the parties stipulate and agree. subject to the Court's approval, to continue the discovery cut-off date in this case 12 13 until July 15, 2008. All discovery which has been served by the Plaintiff will be deemed to have been served the day after the scheduled April 29, 2008, mediation. 15 DATED: April 15, 2008 KANTOR & KANTOR, LLP 16 17 18 enn R. Kantor Attorneys for Plaintiff 19 20 JONES DA DATED: April 15, 2008 21 22 BY 23 Katherine S. Ritchey Emily E. Booth 24 Attorneys for defendants 25 26 27 28

Case 3:07-cv-05330-JSW Document 24 Filed 04/16/2008 Page 3 of 3 **ORDER** Having read and considered the parties' Stipulation and good cause appearing therefore, it is hereby ordered that the discovery cut-off date in this case is continued from its current date of June 2, 2008, until July 15, 2008. All discovery which has been served by the Plaintiff will be deemed to have been served the day after the scheduled April 29, 2008, mediation. DATED: April , 2008 The Honorable Jeffrey S. White U.S. District Court Judge